

PROB 12C
(07/03)

**UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ALABAMA**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Zachary Edwards

Case Number: 2:17-CR-00013-MHH-TMP (001)

Name of Sentencing Judicial Officer: Honorable Madeline H. Haikala

Date of Original Sentence: January 25, 2018

Original Offense: **Count 1:** 18 U.S.C. § 371 Conspiracy to Commit Bank Robbery

Count 2: 18 U.S.C. § 922(0) Conspiracy to Carry a Firearm During and Relating to, and to Possess a Firearm in Furtherance of a Crime of Violence

Counts 3 and 4: 18 U.S.C. § 922(g)(1) Felon in Possession of a Firearm

Original Sentence: Custody of BOP for a term of 71 months which is comprised of 60 months as to Count 1 and 71 months as to Counts 2, 3, and 4, separately, with each count to be served concurrently with the other; followed by a term of 36 months of supervised release with special conditions. \$400.00 Special Assessment Fee.

Type of Supervision: Supervised Release

Date Supervision Commenced: December 13, 2021

Original Asst. U.S. Attorney's: William Gott Simpson

Original Defense Attorney: Glennon F Threatt Jr

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Petitioning the court

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number
Condition 8:

Nature of Noncompliance

On January 25, 2018, Zachary Edwards was ordered to refrain from the excessive use of alcohol and not to purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances.

On or about January 25, 2022, May 9, 2022, and June 15, 2022, Zachary Edwards tested positive for Cannabinoids, through drug testing in the office. For both January 25, 2022, and June 15, 2022, Zachary Edwards admitted previous use of marijuana. However, for the drug test on May 9, 2022, Edwards denied using marijuana and/or any other controlled substances; The sample was then submitted to the lab for further confirmation. Lab results returned on May 16, 2022, with Mr. Edwards testing positive for Marijuana Metabolite.

Please note, the Court was notified of the positive drug tests through the previous 12As submitted.

Condition 15:

On January 25, 2018, Zachary Edwards was ordered to comply with the schedule of payments imposed by the probation officer to satisfy the balance of any monetary obligations resulting from the sentence imposed in the case. He failed to comply with the direction.

On December 20, 2021, Zachary Edwards signed the Payment and Instructions Plan with the understanding of making monthly \$25.00 payments towards his \$250.00 Special Assessment (Outstanding Balance). Mr. Edwards was instructed to begin payments in January 2022. Although, he has since been reminded to make payments; he has failed to comply with the direction. Last payment made on March 10, 2021. Please note, the Court was previously notified of this misconduct during the last 12A submitted.

Condition 17:

On January 25, 2018, Zachary Edwards was ordered that he may be placed in the probation office's Drug and Alcohol Intensive Counseling and Aftercare Service Program (DAICASP) (or comparable program in another district) by virtue of a special condition of probation or supervised release contained in the Judgment and Commitment Order, at the direction of the probation

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officer after a positive urinalysis, or a court order entered during the period of probation or supervision for other good cause shown. This program may include (a) testing by the probation officer or an approved vendor to detect drug or alcohol abuse, (b) a mandatory drug education program (which may include individual or group counseling provided by the probation office or an approved vendor), (c) placement in a residential treatment program or community corrections center for up to 270 days at the direction of the probation officer (with the defendant to pay the cost of subsistence if the probation officer determines that the defendant has the ability to do so), and (d) home confinement subject to electronic monitoring for a maximum period of ninety (180) days at the direction of the probation officer (with the defendant to pay the cost of monitoring if the probation officer determines that the defendant has the ability to do so).

Condition 17(B): Zachary Edwards was instructed to report on July 5, 2022, for the Early Intervention intake interview at UAB Beacon Recovery. Please note, that Zachary Edwards failed to report for his intake interview.

Condition 17(C): Zachary Edwards was instructed to participate in a community corrections center for up to 3 months. Zachary Edwards has failed to participate as directed. He was instructed to report on August 5, 2022, which he did report; however, Edwards failed to follow instructions with declining to go for a physical. As a result, he was released from the facility on the same date he reported.

Additional Commentary: Please be advised, the Court has been previously notified of the re-arrest on May 17, 2022, involving domestic violence. Status from the case, is pending disposition of the law violations. Zachary Edwards has failed three drug tests for marijuana use with the Court being notified. Edwards has failed to follow instructions on reporting for outpatient treatment at UAB Beacon Recovery. In addition, Edwards was instructed to report to report and participate at the RRC for a total of 3 months, with him failing to follow instructions and in turn being released from the facility.

It should be noted that the RRC placement was an attempt by the U.S. Probation office in spite of repeated, continued non-compliance, to offer Mr. Edwards both a sanction and an opportunity that would allow him to remain in the community, maintain employment, continue drug testing and treatment and allow him a chance to get back on track.

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U.S. Probation Officer Recommendation: Based on the alleged violations reported herein, it is recommended that the Court issue a warrant for the arrest of Zachary Edwards, and when executed, that a violation hearing be scheduled for him to show cause why his supervised released should not be revoked.

The term of supervision should be:

- ☒ Revoked
☐ Extended for _ years, for a total of _ years.
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is
true and correct.

Executed On August 9, 2022

/s/John Bracamonte

John Bracamonte
U.S. Probation Officer
205-581-6019

Approved By /s James G. Cardwell

James G. Cardwell
Supervising U.S. Probation Officer

Probation Officer Recommends:

- ☒ Warrant ☐ Summons ☐ Warrant and Writ

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ The Issuance of a Warrant and Writ
☐ Other

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DIRECTIONS CONCERNING DETENTION OF DEFENDANT

- ☐ Detain Pending Revocation Hearing
- ☒ At Court's Discretion

DONE and **ORDERED** this August 11, 2022.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE